

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ABDUR MAHDI,

Plaintiff,

v.

USP-CANAAN, et al.,

Defendants.

CIVIL ACTION NO. 3:13-CV-1788

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW, this 29th day of May, 2014, in view of the Report and Recommendation of Magistrate Judge Martin C. Carlson (Doc. 28), and upon consideration of Plaintiff's Objections and his subsequent Motion for Leave to Amend and to File the Amended Complaint (Doc. 39), which attempts to remedy deficiencies identified in the Report and Recommendation, **IT IS HEREBY ORDERED** that:

- (1) The recommendation to dismiss Plaintiff's Complaint (Doc. 1) and Amended Complaint (Doc. 25) is **ADOPTED**. Plaintiff's Complaint (Doc. 1) and Amended Complaint (Doc. 25) are **DISMISSED without prejudice**.
- (2) Plaintiff's Motion to for Leave to Amend and to File the Amended Complaint (Doc. 39) is **GRANTED**.¹
- (3) Plaintiff's "Third Edition" Amended Complaint docketed as Document 40 is accepted as filed.
- (4) This matter is **RECOMMITTED** to Magistrate Judge Carlson for further screening of Plaintiff's second proposed "Third Edition" Amended Complaint (Doc. 40) pursuant to 28 U.S.C. § 1915(e)(2).


A. Richard Caputo
United States District Judge

¹ The Court notes that Plaintiff has already been given an opportunity to file an Amended Complaint. This will be his final opportunity to state a valid claim upon which relief may be granted.